

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

NL ENTERPRISES, LLC,

Plaintiff,

vs.

UNITED PACIFIC PET, LLC,

Defendant.

4:15CV3163

ORDER

The parties' lawsuit raises a claim and a counterclaim for breach of a distribution contract, with Plaintiff requesting declaratory relief and Defendant requesting damages. A motion for preliminary injunction is pending. (Filing No. 49). Following oral argument on that motion, Judge Gerrard requested additional briefing on the issue of "whether . . . the contract as a whole fails, whether the renewal provision fails such that the contract does not automatically renew, or whether the contract automatically renews without being conditioned by purchase objectives." (Filing No. 157).

The parties are embroiled in discovery disputes as they try to prepare for a March 2017 trial. The discovery at issue involves business records which, but for this litigation, would remain confidential and not subject to disclosure to the opposing party. After conferring with counsel, the parties agree that Judge Gerrard's ruling on the issues outlined in his Filing 157 order will impact whether, and to what extent, the discovery currently in dispute is relevant to any cognizable issue in this case.

Accordingly, to facilitate the goals of Rule 1 of the Federal Rules of Civil Procedure:

IT IS ORDERED:

- 1) The unexpired deadlines in the court's case progression order (Filing No. 66), and any court-approved extensions of that order, are stayed pending further order of the court.
- 2) The pretrial conference and jury trial settings are vacated pending further order of the court.

- 2) If this case is not fully resolved by the court's ruling on the motion for preliminary injunction, within ten (10) days after that ruling, the parties shall contact the undersigned magistrate judge's chambers to set a new case progression schedule.

January 6, 2017.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge